

Dearasha (sermon) for Korach
 July 2, 2005
 Temple Israel
 "The Value of Dissent"

Today's Torah portion is one of political upheaval. There is dissent in the ranks. Korach, Dathan, and Abiram get together with 250 of their closest friends, and congregate against Moses and Aaron and challenge their claim to authority:

. . . רב לכם כי כל העדה בלם קדשים ובתוכם ד' ומדוע תתנשאו על קהל ד':
 . . . *You have taken too much - for the entire people are holy, and the LORD is in their midst - why should you rule over the assembly of the LORD. (Numbers 16:3)*

What does Moses do? Does he crush this rebellion - send out legions to destroy this insurrection - these 250 people and their collaborators? No. Moses appeals to dialogue and evidence. Moses extends a hand towards finding peace (see Rashi on Num. 16:12) and resolution, and his combatants, Dathan and Abiram refuse dialogue:

וישלח משה לקרא לדתן ולאבירם בני אליאב ויאמרו לא נעלה:
And Moses sent to call to Dathan and Abiram, the sons of Eliav, but they said "we will not come!." (Numbers 16:12)

Moses does not attack his combatants. Instead, he appeals to evidence - to prove his claim of leadership. On God's instructions, he has the people appear, fire pan and incense in hand at the tent of meeting. Moses offers the following proof:

If these people die a death like other people, and if they have the fate of common people, God did not send me. However, if the LORD creates an event, and the earth opens its mouth and swallows them and all that is theirs, and they go alive to the netherworld, then you will know that these people rebelled against the LORD. (Numbers 16:29-30)

Suffice it to say, Moses is vindicated. Now, I think it is impressive enough what happened up to this point in the story. Faced by challenge of his authority, Moses responds not by fiat, but by argument. He proves himself correct by appealing to the divine, rather than appealing to his own force. The next part of the story, I think, is even more interesting. Moses is told to instruct Elazar the Priest to gather the fire pans, and to treat them as holy (Numbers 17:1-3).

Holy? The fire pans of the rebellious leaders are *holy*? I would think they would be more defiled than anything else on earth. But no, they are Holy. There are many explanations available for this. At its simplest form, since these incense pans were intended for ritual service before God - albeit misguided and perhaps self-serving, they were still counted as being set aside for God. Another opinion comes from Rabbi Abraham Kook, the founder of the religious zionist movement. Rabbi Kook, as paraphrased in the *Etz Chayim Chumash* explains that the firepans

were kept holy as symbols of the important role of the skeptics in keeping religion honest. Challenges to religion are important, because they keep us from the dangers of complacency and corruption. Keeping the firepans was to be a reminder of the potential legitimacy and holiness that comes from challenging religion.

Indeed, the Torah does teach us that sometimes challenge of authority can be legitimate and well placed. For instance, we learned a couple weeks ago about the advent of the *פסח שני* (*Pesach Sheni*) - the "Second Passover." In Number 9, we learned how some people were ritually impure, so they couldn't bring the Passover offering at its correct time. They brought their problem to Moshe, who consulted with God, and was instructed to have a "Second Passover" one month later, for those who missed out on the first one. Challenging the establishment in this case was successful and acceptable.

In a couple weeks, we'll read the story of the beginnings of the feminist revolution, when Machlah, Noa, Chaglah, Milka, and Tirtzah, the five daughters of Tselofchad (Numbers 27). They complained that their father, who had five daughters and no sons, would not have a name perpetuated in Israel unless they were allowed to inherit his property. Again, Moses brings this question to God, who accepts their argument and rules that when a man leaves only daughters behind, those daughters may inherit his property.

The lessons of these stories is an important one - dissent and disagreement, though they are potential dangers, also represent our potential for growth and positive change. As with the story of Korach, dissent should be given a hearing, and subject to proof or disproof. The fact that ideas should be treated this way has been a lesson that has taken the world far to long to learn. There are times in human history where ideas alone have appeared so threatening that communicating those ideas was punishable, even by death. Think of the more recent persecution of those who advocated the heliocentric theory, or evolution. Sometimes, people would prefer to attack and persecute, rather than give a rational hearing.

But then there were those who understood that ideas, when given the light of day, were not so much a threat. I for one, am on Moses side. Ideas - thoughts and opinions, are best used when they see the light of day, are left open for discussion, and for eventual acceptance or rejection. One generation's heresy might become another generation's scientific fact. It was this type of wisdom - the wisdom of open dialogue that is at the core of the beauty and success of a nation which we celebrate this Monday. It was this wisdom that taught us the perils of:

abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

In the 1919 case of *Abrams v. U.S.*, Justice Oliver Wendell Holmes, joined by Justice Brandies in his dissent, expressed the importance of freedom to communicate ideas:

"Persecution for the expression of opinions seems to me perfectly logical. If you have no doubt of your premises or your power and want a certain result with all your heart you naturally express your wishes in law and sweep away all

opposition.... But when men have realized that time has upset many fighting faiths, they may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by free trade in ideas -- that the best test of truth is the power of the thought to get itself accepted in the competition of the market, and that truth is the only ground upon which their wishes safely can be carried out. That at any rate is the theory of our Constitution.

"Free trade of ideas." A radical notion, to say the least. Yes, you may have a particular belief. But ultimately, our dedication should be to the truth. By allowing examination and discussion, we hope that the truth, whatever it may be, is brought to light. This is the theory of our Constitution, says Holmes. I say: this is also the theory of our teacher Moses.

But what if an idea offends us? What if it threatens to change our social order? Should we cut off dialogue when it gets too inconvenient? On the contrary. It is precisely when the dialogue is offensive, that this freedom is most important. Imagine for instance, the offense caused when a person claims that the Sun is in the center and the earth moves around it, or when one argues an evolutionary theory that offends biblical fundamentalists. Or that the man of God who had taken the people out of Egypt had overstepped his powers.

In *West Virginia State Board of Education v. Barnette*, the Supreme Court upheld the rights of students not to participate in the pledge of allegiance. Justice Jackson wrote:

The case is made difficult not because the principles of its decision are obscure but because the flag involved is our own. Nevertheless, we apply the limitations of the Constitution with no fear that freedom to be intellectually and spiritually diverse or even contrary will disintegrate the social organization. To believe that patriotism will not flourish if patriotic ceremonies are voluntary and spontaneous instead of a compulsory routine is to make an unflattering estimate of the appeal of our institutions to free minds. We can have intellectual individualism and the rich cultural diversities that we owe to exceptional minds only at the price of occasional eccentricity and abnormal attitudes. When they are so harmless to others or to the State as those we deal with here, the price is not too great. But freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order.

In "The American President," Michael Douglas speaks of the importance of the freedom to offend:

America isn't easy. America is advanced citizenship. You've gotta want it bad, cause it's gonna put up a fight. It's gonna say, "You want free speech? Let's see you acknowledge a man whose words make your blood boil, who's standing center stage and advocating at the top of his lungs that which you would spend a lifetime opposing at the top of yours." You want to claim this land as the land of

the free? Then the symbol of your country cannot just be a flag. The symbol also has to be one of its citizens exercising his right to burn that flag in protest. Now show me that, defend that, celebrate that in your classrooms. Then you can stand up and sing about the land of the free.

When Korach challenged Moses, Moses allowed him a hearing, and demonstrated that Moses was the rightful leader, albeit with the highly advantageous earth opening up to swallow his detractors.. When other challenges to the established order came up - for instance those who could not participate in the first Passover, or the daughters of Tselofchad claiming a right of inheritance, those challenges were accepted as positive innovations, not threats to the Torah's world order. The incorrect argument is defeated with proof. The valid arguments are accepted. These are examples of the free market of ideas that would later be embodied in our country's constitution.

We are fortunate to live in a land of freedom. A land of diversity of religion and of culture. The freedoms of the United States allow us as Jewish citizens to thrive. On this July 4th weekend, may we all be reminded of our fortune, and may we continue our dedication to the essential freedoms that make the United States the land of the free.